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The John Doe Times is an on-line, electronic newsletter published by the First Alabama Cavalry Regiment and friends. Our Motto: *Sic Semper Rodentia*.

Editor's Note: If the OKC case ends up in Strassmeir meltdown as now seems likely, folks are going to start wondering who was responsible for the coverup-- who made the search for John Doe #2 into John Doe Who? The accompanying "party-line" article by Newsweek, and the profile of Kennedy upon the assumption of his new job in for Guardsmark Security in Memphis by the Commercial Appeal, will likely be useful in providing a baseline to determine Kennedy's culpability later when the subject comes up after Oklahoma Jones destroys the "Lone Bomber theory."

Newsweek, 24 March 1997

"JUDGEMENT DAY"

As Tim McVeigh goes on trial for his life, a NEWSWEEK investigation uncovers the inside story of how the Feds managed to crack the conspiracy to bomb Oklahoma City.

The first piece of evidence fell out of the sky. At about 9 a.m. on April 19, 1995, Richard Nichols, a maintenance man in Oklahoma City, was huddled on the floor of his car, cowering from an enormous blast that seemed to sweep over him like a prairie twister, when he heard a strange whooshing noise. It sounded, he thought, like a giant boomerang spinning right at him. With a crash, a heavy rod of twisted metal smashed into the hood of his car, shattering the windshield. It was a truck axle. It had belonged to a Ryder truck filled with two tons of explosives that had, moments earlier, transformed the nearby Alfred P. Murrah Federal Building into a mass morgue.

The rest of the evidence turned up slowly but steadily in the days ahead. There was a piece of fiberglass impregnated with crystals of explosive residue and tiny markings on the drill bit used to break the lock on a gate to a quarry where blasting munitions were stored. Meanwhile, traces of a chemical used to make detonation cord were found on the prime suspect's clothing -- and on the knife he had allegedly used to cut the bomb fuse, and the earplugs he'd worn to shield his ears from the blast. Phone records, motel registrations, the testimony of friends and relatives -- all pointing to one central character. For 22 months, the most massive federal investigation since the assassination of John F. Kennedy has been quietly collecting evidence -- and the Feds believe that the detail weaves around Tim McVeigh like a noose.

Many Americans, however, have a far less certain view of the Oklahoma City case. They have read or heard about conspiracy theories involving neo-Nazis and international plotters. Most of these scenarios have been pushed by McVeigh's wily and somewhat outrageous lawyer, Stephen Jones. Now, on the eve of the trial before Judge Richard Matsch, Jones has asked to delay the case -- or at least move it -- because, Jones claims, anti-McVeigh news reports are prejudicing potential jurors. There is even fresh confusion about whether the FBI has tracked down all the members of the conspiracy. Sources close to the case tell NEWSWEEK that McVeigh confirmed his role in blowing up the Murrah building on a lie-detector test administered by his own lawyers -- but that he flunked a question about whether all of his co-conspirators are known to authorities. (Jones declined

to comment on the matter.) Does this mean there is an unknown bomber on the loose? Or is it just another story designed to lead jurors to doubt that the conspiracy has been cracked? Jones himself has spun many such tales, and the press has played along, questioning the case against McVeigh. Jaded by O. J. Simpson's acquittal in his criminal trial, people are looking forward to sharp-witted defense lawyers taking apart hapless government "experts."

But in fact, the Feds have good reason to be confident. The case against McVeigh, scheduled to go to trial March 31, appears to be strong. True, the case against McVeigh's confederate, Terry Nichols, is slightly weaker. But prosecutors believe they will have little trouble placing McVeigh, who faces the death penalty, at the center of the plot. (McVeigh and Nichols have pleaded not guilty.) According to a NEWSWEEK investigation, the story of how the government put the case together is a tale of diligence, uncharacteristic teamwork and not a little luck.

Weldon Kennedy, the FBI's senior agent-in-charge in Phoenix, Ariz., was sitting in a meeting of a federal anti-narcotics task force in El Paso, Texas, when his beeper went off shortly after 9 a.m. on April 19. He was ordered to head to Oklahoma City. He was just packing his bags when he got a call from FBI Director Louis Freeh telling him to take charge of the OKBomb investigation. Kennedy, a 33-year veteran of the FBI, had handled some difficult situations, including the 1987 prisoner siege of the federal penitentiary in Atlanta. Still, he was anything but confident. Kennedy, then 56, was five months away from retirement. He worried that the FBI's man on the scene, Oklahoma City SAC Bob Ricks, would be furious about his appointment. "Am I up for another one? One this big?" Kennedy wondered as he picked his way through the rubble around the Murrah building in the predawn hours of April 20. He felt "overwhelmed" as he stared at the blown-out shell that still smelled of smoke and death. Kennedy looked down at his dress black shoes. They had been "cut to ribbons," he recalled, by shards of glass and metal.

Kennedy's command post was a ramshackle office in an abandoned phone-company building that looked as if it would fall down at any moment. When an empty building next door did collapse the day after the bombing, federal agents assumed the worst -- that it was the second strike in a more massive conspiracy. (A false alarm: the neighboring structure's foundations had been weakened by the Murrah explosion.) "It was a very tense time," Kennedy said.

The trail began 250 miles north of Oklahoma City. A vehicle identification number on the Ryder axle had been traced by investigators to Elliott's Body Shop in Junction City, Kans. About the time Kennedy was standing awestruck before the Murrah building, FBI agents were rousting a mechanic named Tom Kessinger out of bed. Kessinger had been sitting in Elliott's lobby on his break when the Ryder truck was rented out on April 17. He told the agents he had seen two men pick up the truck. As an FBI artist sketched, Kessinger described the men. One he recalled clearly by his brown crew cut, beady eyes and blemishes. The other he was less sure of but said he was shorter and more heavyset, with a quarter inch of tattoo visible under his left shirt sleeve. FBI agents fanned out with sketches of the suspects, then dubbed "Unsub [unidentified subject] 1" and "Unsub 2." By midafternoon, at the Dreamland Motel on the edge of town, they scored. Lea McGown, the motel's proprietor, recalled that one of her customers had driven a Ryder truck. She took one look at Unsub 1 and said, "That's Tim McVeigh."

Back in the Oklahoma City command post, Bureau of Alcohol, Tobacco and Firearms Agent Mark Michalic, who was working the "leads section," typed "Timothy McVeigh" into the National Crime Information Center computer. He quickly got a match. The sheriff's office of Noble County, Okla., had run McVeigh's name through the computer on April 19. Michalic began working the phones. He found a trooper who had arrested McVeigh that morning for driving a car without a license plate. The trooper, Charlie Hanger, had put a gun to McVeigh's head when he saw that the driver was carrying a pistol.

Michalic's next call was to the Noble County Jail to ask if that suspect had been booked. "I don't know -- let me check," said the slow-talking county sheriff, Jerry Cook. "Y-e-p," he reported back. "What's his name?" asked Michalic hurriedly. "T-i-m-o-t-h-y J-a-m-e-s M-c-V-e-i-g-h," Cook responded. "We got him!" yelled Michalic. The roomful of agents cheered. But they were on the verge of losing their suspect: McVeigh was heading to court with a deputy sheriff for a bond hearing -- and his almost certain release. "Sheriff, this is what I want you

to do," Michalic said into the phone. "Go tell that deputy to spin that old boy around and put him back in your hotel."

McVeigh's arrest produced a trove of evidence. His 1977 Mercury Marquis was full of antigovernment scribbles. Traces of PETN, a chemical used in detonator cords, were later found on his pants, two shirts, his set of earplugs and a five-inch knife McVeigh kept strapped to his back.

As McVeigh was escorted from the county jail by federal agents (to cries of "Baby killer!") that Friday, another investigative minidrama was unfolding in Herington, Kans., home of a very shaken Terry Nichols. The Feds knew very little about Nichols. When McVeigh checked into the Dreamland on April 14, he had left the address of James Nichols's farm in Decker, Mich. Neighbors there told agents that James's brother Terry was a friend of McVeigh's. The FBI had not been watching Terry Nichols's home for long when he walked into the local police station with his wife and daughter. Nichols wanted to talk. While denying involvement in the bombing, he spewed forth for nine hours, telling the FBI that he was an army buddy of McVeigh's, that he had given McVeigh a lift from Oklahoma City just three days before the blast and that McVeigh had told him that something "big" was going to happen.

At the end of that momentous Friday, Kennedy tried to suppress his elation. "How can it get any better than this?" he wondered. But he worried the Feds were just beginning to crack a conspiracy that could strike again.

That same Friday morning, Steve Burmeister, a forensic chemist from the FBI's lab in Washington, was sifting through the rubble around the Murrah building. Short and intense, Burmeister is "not a guy you want to go partying with on Friday night," said a fellow Fed. "But he's a serious scientist." Burmeister worried that a heavy storm that drenched the blast site on Wednesday night had washed away crucial evidence -- microscopic traces of explosive. One of Burmeister's assistants spotted what looked like a piece of the Ryder truck's fiberglass paneling. Fortunately, the fragment, about the size of a sheaf of notebook paper, had landed at an angle that protected its underside. The piece was marked "Q-507," photographed and placed in a plastic bag to be shipped back to the lab.

By the next day, Burmeister and his team had moved on to Herington to search Nichols's home. They discovered reams of damning evidence. Agents found detonation cord, ammonium nitrate fertilizer, blasting caps and 55-gallon plastic drums -- just like the ones used in the bombing. (News accounts at the time reported that the plastic barrels containing the explosive fertilizer had been made of blue plastic. Actually, NEWSWEEK has learned, most of the blue plastic shards at the blast scene were not from the barrels, which were off-white, but from the blue plastic kiddie furniture from the second-floor day-care center.) Agents also found a receipt for a 2,000-pound purchase of ammonium nitrate, about half of what the Feds believe was used to build the bomb. As he walked up Nichols's front steps, Burmeister noticed something else: pellets of fertilizer, called prills, coated with a special gel like the protective shell on a Tylenol tablet.

Back at the FBI lab in Washington, Burmeister put "Q-507" under his microscope. He found what he was looking for: bomb residue, specifically crystals of ammonium nitrate embedded in the Ryder truck paneling. Then another find: traces of the rare gel-like coating that later matched the prills he had found on Nichols's porch. The microscopes made more matches, including this crucial one: McVeigh's fingerprints on the receipt for the 2,000-pound ammonium nitrate purchase. Kennedy was ecstatic.

Other physical evidence was scattered across a half dozen states. But Kennedy had enormous assets. Thousands of agents worked hundreds of thousands of man-hours -- not just FBI agents but scores of others from federal, state and local law enforcement all over the country. Missing, for once, were the turf struggles that can bog down a complex probe. For everyone involved, a terrorist attack on a government building was highly personal. The work was incredibly labor intensive. For example, film from every security camera along I-35 from Oklahoma City to Junction City was seized. It was on one of those reels that the Feds found images of McVeigh in a McDonald's on April 17 -- which puts McVeigh a mile away from the Ryder truck just before it was rented.

In the months leading up to the attack, McVeigh and Nichols purchased a phone charge card from the Liberty Lobby, a far-right group. From the calls charged to the card, the Feds were able to trace a devil's shopping list --

to the rental agency to reserve the Ryder truck, to suppliers of 55-gallon plastic barrels, to producers of racing-car fuel -- the better to boost the explosive power of the fuel-soaked fertilizer bomb. McVeigh's phone calls also gave investigators a time line. All during the summer and fall of 1995, while the investigation seemed to be languishing to the impatient press, the Feds were quietly tracking McVeigh's movements on the road to Oklahoma City.

However compelling, physical evidence is usually not enough. Kennedy knew he would need witnesses to make the case stick. Getting those witnesses to talk, he knew, would be difficult. The Feds tried different approaches with McVeigh's sister, Jennifer, a former Jell-O wrestler sympathetic to her brother's extremism. They showed her photos of the victims of the bombing, many of them children, without much success. She finally agreed to testify that she had known her brother was up to something "big."

McVeigh's army buddy Michael Fortier was equally recalcitrant in the beginning, lying low in his Kingman, Ariz., trailer flying a don't tread on me banner. Slowly, warily, Fortier began negotiating. Under a plea agreement, he admitted to knowing about the plot and to helping McVeigh transport stolen weapons. Fortier will testify that McVeigh pointed out the Murrah building as the target. Fortier was also able to explain how the bombing was financed: by a November 1994 robbery of an Arkansas gun dealer by Terry Nichols. Fortier will testify that Nichols wanted out but that McVeigh boasted he could "make" his army pal go along. Fortier's wife, Lori, will describe how McVeigh stacked soup cans in her kitchen to show how the barrels would be lined up in the truck for maximum blasting effect.

Back in Oklahoma City, Kennedy continued to cast a widening net of investigators. They solved the robbery of several pounds of explosive gel, blasting caps and detonation cord from a Martin Marietta quarry in Kansas in 1994: small brass shavings from the lock on the gate were found in a drill in Terry Nichols's home. Still, there were nagging loose ends. Less than two weeks after the blast, investigators had found a man who exactly fit Kessinger's description of John Doe 2. The man, an innocent soldier named Todd Bunting, had been in Elliott's Body Shop the day after McVeigh rented the Ryder truck. But Kessinger stubbornly insisted that he had seen the two men together on the same day. Only last November did Kessinger finally change his mind and identify Bunting as John Doe 2.

Jones, McVeigh's lawyer, relished bringing out Kessinger's contradictions at a hearing last month. Despite the judge's order not to talk about evidence or strategy to reporters, Jones kept feeding speculation to the press. There was the suggestion that two Ryder trucks were involved in the blast and that the Feds had been warned before the bombing. Government sources say Jones's theories are farfetched. But by hiring conspiracy-minded detectives (at taxpayer expense: Jones has so far billed the government for about \$10 million), he hopes to baffle prospective jurors. The FBI also has to worry about reports that its lab has become slipshod. Fortunately for the government, the FBI lab "whistle-blower," Frederic Whitehurst, was once Burmeister's mentor. In fact, Whitehurst is on record saying that some of Burmeister's OKBomb work was "brilliant."

If Jones is going to play the role of Johnnie Cochran, he must find a sympathetic jury. The pool around Denver may have some anti-government views. It takes only a single juror to hang a verdict. But it would have to be a very stubborn juror indeed to hold out in the face of the evidence against Timothy McVeigh.

(JDT Note: This work of Newsweek's will be judged after the outcome of the trial, and will be found to be wildly funny.)

By Peter Annin and Evan Thomas
With Randy Collier

Newsweek 3/24/97 Nation/Judgment Day

MEMPHIS COMMERCIAL APPEAL
16 March 1997

VETERAN FBI AGENT FINDS SECURITY AT GUARDSMARK

By Kevin McKenzie
The Commercial Appeal

Weldon Kennedy, the No. 2 man at the Federal Bureau of Investigation until he retired in February, is no stranger to Memphis.

Kennedy has visited to conduct business, and he was in town inspecting the Memphis FBI office when Elvis Presley died in 1977.

"The whole town almost went berserk," recalled Kennedy in an interview from a hotel room in New Mexico.

Now Kennedy, the deputy director of the FBI until Feb. 28 and the man who supervised the agency's Oklahoma City bombing investigation, is making Memphis his home.

Guardsmark, Inc., the nation's fifth largest private security company, is hiring Kennedy to be its vice chairman. He starts April 1.

"I felt it to be a very easy transition to go from the premier law enforcement agency to what I saw as the premier private security agency," said Kennedy, 58.

When he and his wife Kathy move into an East Memphis home they've already picked out, Kennedy will be ending life as a nomad.

Born in September, 1938 in Menlow, Texas, his family moved frequently in Texas because his father's job with a farm implement manufacturer, Kennedy said. In the FBI, job changes landed him in at least 10 cities, including Jackson, Miss., and Atlanta, since he became a special agent in July 1963.

Memphis-based Guardsmark, founded by Ira A. Lipman in 1963, has attracted to its 12,000-employee workforce others retiring from the FBI, U.S. Secret Service, military and police agencies, Lipman said.

Kennedy, tapped by FBI Director Louis J. Freeh to become deputy director in August 1995, is the highest-ranking FBI official to land at Guardsmark.

The director of the Secret Service from 1973 to 1981, H. Stuart Knight, went to work for the security firm and remains a senior advisor for Guardsmark in Washington, Lipman said.

"We are providing security for literally trillions of dollars in assets across America, and (Kennedy's) going to be playing an essential role in everything," said Lipman, chairman and president of the firm. "He's going to be a great asset to the company."

Kennedy said he began to gain a reputation as the FBI's most experienced crisis manager after about 1,500 Cubans detained at an Atlanta federal prison rioted and took hostages in 1987.

As special agent in charge of the FBI's Atlanta office, he helped resolve the crisis with no harm to the hostages or hostage takers. He said he subsequently taught courses in crisis management for the agency.

Kennedy was special agent in charge of the FBI office in Phoenix when a bomb in April 1995 destroyed the Oklahoma City federal building, killing 168 people and injuring more than 500.

As commander on the scene there, his work helped win him promotion to the deputy director spot. His performance handling such crises also helped him win Presidential Rank of Distinguished Senior Executives Awards in 1991 and 1996.

The White House honor carries a \$20,000 prize. And he's the only FBI employee to win two.

Kennedy said he had no regrets about the Oklahoma City investigation.

"I think it was a model of cooperation between federal, state and local law enforcement," he said.

Last week, he visited Oklahoma City, where one of his three grown children works. He and his wife, a retiring Veterans Administration nurse who lived in Arizona while he lived in Washington, are traveling.

The FBI's investigation of the bombing has been criticized as the trial of bombing suspect Timothy McVeigh nears in federal court in Denver. But criticism from attorneys representing suspects is a normal part of the job, Kennedy said.

"Defense attorneys have to earn their pay," he said.

The task of handling recent charges of sloppy work by the FBI's crime laboratory also fell to Kennedy as deputy director. He said a "tremendous amount of misinformation" has been generated concerning how problems at the lab might affect past or current cases.

"We were not saying that there were not deficiencies. There were deficiencies. All we are saying is no case has been, or will be, we believe, compromised by those deficiencies," he said.

The Oklahoma City bombing case is one of a handful where prosecutors determined that defense attorneys should get information resulting from the probe of FBI laboratory procedures, Kennedy said.

"We expect it to come up at trial. We do not, however, believe it will materially affect the case," he said.

Kennedy says he doesn't think he will be called to testify at McVeigh's trial. He called recent reports that McVeigh had confessed to the crime "astonishing."

His new job with Guardsmark will be Kennedy's first private-sector position since part-time jobs he held while earning a bachelor's degree at the University of Texas in Austin.

As deputy director of the FBI, he earned an annual salary of about \$120,000, Kennedy said. The President earns \$200,000, plus significant perks.

"I just read this morning where one of these CEOs of a major corporation made 20 some odd million dollars last year with a fraction of the responsibility. So government doesn't pay real well," he said.

Kennedy said Guardsmark, a privately held company, is paying him significantly more than his old job. He declined to be more specific.

The former FBI official is personally familiar with one private-sector trend-- downsizing. He chose to become the field commander in Phoenix in 1994 after his relatively new boss, Freeh, eliminated the agency's two associate deputy director positions. Kennedy was one of those associate deputy directors.

While he enjoys the X-Files, the popular television program, Kennedy says he has no knowledge of real FBI paranormal agents. He said he also has not in his lifetime seen anything about aliens landing in the United States.

Twenty years ago during his visit to Memphis, Kennedy recalled a media flood and a shortage of hotel rooms in the aftermath of Presley's death.

And no, the FBI can't provide any insights to those still wondering about the whereabouts of Elvis, he said.

"It was an interesting time," Kennedy said.

Sidebar Box: WELDON L. KENNEDY

JOHN DOE TIMES
VOL. V, No. 3, Attachment
22 March 1997

SIDEBAR BOX TO Memphis Commercial Appeal Story

WELDON KENNEDY

AGE: 58

EDUCATION: Bachelor of Arts, University of Texas at Austin, 1960; master's in criminal justice, Georgia State University, Atlanta, 1989.

CAREER: After serving as a U.S. Navy intelligence officer, Kennedy joined the Federal Bureau of Investigation as a special agent in July, 1963. Assignments followed to FBI offices in Portland, Ore.; Newark, NJ; Miami; San Juan, Puerto Rico and Las Vegas. Assumed supervisory or inspection duties at FBI headquarters in Washington beginning September 1973. Appointed special agent in charge of the Boston FBI office in July 1978, then returned to FBI headquarters in August 1980 to become inspector of the Inspection Division. Named special agent in charge of the Jackson, Miss., office in April 1982 and then agent in charge of the Atlanta office in January 1985. Returned to FBI headquarters as assistant director of the Administrative Services Division in November 1989 and named associate deputy director-- administration in July 1992. In February 1994, became special agent in charge of the Phoenix FBI office. Appointed deputy director of the FBI in August 1995. Retired Feb. 28. Becomes vice chairman at Guardsmark Inc. on April 1.

FAMILY: Married with three grown children.

HOBBIES: Flying, woodworking and leather work.

WHAT THEY SAID: "In the most difficult of times, and facing the most strenuous challenges, he has always performed with only one goal in mind-- the well-being and safety of the American people." -- U.S. Attorney General Janet Reno at Kennedy's retirement.

"He is one of those rare people in government who has made a difference. All of us in the FBI will miss his clear thinking, keen judgement and boundless energy." -- FBI Director Louis J. Freeh.

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